

1 LATONIA SMITH
2 9748 CANYON LANDING AVE.
3 LAS VEGAS, NV 89166
4 725-203-2455
5 PLAINTIFF IN PROPER PERSON

6
7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
OCT 28 2019	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

9 LATONIA SMITH,

10 Plaintiff(s),

11 -vs-

CASE NO. 2:19-cv-00856-GMN-NJK

12 CAESARS ENTERTAINMENT

13 CORPORATION, a Delaware corporation;

14 PHWLV, LLC d/b/a PLANET HOLLYWOOD

15 RESORT AND CASINO, a Nevada limited

liability company; SHANNON PIERCE;

16 ETHAN THOMAS

17 Defendant(s).

18
19 **OBJECTIONS AND MOTION FOR NEW REVIEW**

20 OBJECTIONS TO ANY ORDERS PUT OUT IN SMITH V. CEC, PHWLV, SHANNON
21 PIERCE, AND ETHAN THOMAS BY PRIOR JUDGES; OBJECTIONS TO ORDER
22 RECEIVED BY NJK TO GRANT DEFENDANTS' STAY DISCOVERY; OBJECTIONS
23 TO ORDER RECEIVED BY NJK TO DENY PLAINTIFF'S STAY OF PROCEEDINGS

24
25
26 Defense sent Plaintiff correspondence suggesting that there were orders put out
27 in this specific case by prior judges. Plaintiff objects to any such orders on the basis that
28 this Court failed to serve Plaintiff with any such orders from prior judges in this case.

1 Plaintiff's "received" documents are carefully documented upon receipt and none of the
2 prior judges (thus far) sent any orders to Plaintiff concerning this case to allow Plaintiff
3 to review and comment if necessary. This disreputable Court is actively withholding
4 correspondence from Plaintiff and engaging in ex parte communications with
5 defendants, which is judicial/attorney ethics violations. And just as another example of
6 this fact, Plaintiff received correspondence from the deplorable Fugazzi on October 26,
7 2019 about a twelve-page order that he got from the dishonorable Youchah. Plaintiff
8 never received any such twelve-page correspondence from this lady, and it is evident
9 that defendants and the Court are engaging in ex parte communications/having side
10 communications about the case without Plaintiff, which is also not shocking given that
11 this Court is just another arm of defendants' defense team. The Court is also getting
12 confused with their own docket and correspondence, which is just another prime reason
13 why Plaintiff has opposed any combination of the cases and has motioned for this case
14 to be returned to the correct jurisdiction—Eighth Judicial District Court—under Judge
15 Jerry Wiese (whenever this judiciary gets their heads from out of their own piss filled
16 toilets).

18 As a preliminary matter, Plaintiff objects to white judges¹, like the ignoble Koppe,
19 overseeing this case as they are, simply, psychologically incapable of any type of
20 unbiased decisions as evidenced in their own biased writings and unilateral
21 correspondence with defendants. Specifically, this third, new, corrupt judge's orders,
22 denying Plaintiff's stay and granting an unserved stay motion by defense illustrate that
23 she is mentally incapable of being impartial and handicapped by the same white
24 supremacist mentality held by vile whites in this country. As another preliminary matter,
25 Plaintiff also requested that any motions in this case be set for hearing so, even still,

26
27
28 ¹ And, yes, Plaintiff is highly sick of you old, out-of-touch, racist, pathetic, white judges in
this entire district.

1 Plaintiff could have responded to any of defense's unserved assertions in Court. One
2 cannot respond to unserved papers.

3 The truth is that Koppe and this court simply don't want to remand Plaintiff's case
4 so that Plaintiff can proceed in the case as they are actively assisting defendants, which
5 is why Koppe and this Court have continued to tend to other things and other decisions,
6 such as writing a myriad of letters to Plaintiff stating (one in particular) that they would
7 not hear Plaintiff's emergency motion for remand and, most recently, that they do not
8 agree with Plaintiff's motion to stay proceedings, while sitting on Plaintiff's uncontested
9 motion to remand which encapsulates a single issue—the racist ban of Plaintiff from a
10 public establishment—that was brought specifically pursuant to the Nevada Revised
11 Statutes. And, the only reason why this Court has still held on to this case so
12 defendants can uphold such a ban is because it is mostly filled with the same white
13 supremacists that instituted the ban in the first place. Quite frankly, this KKK Kangaroo
14 Court has no rights to this case.

16 Moreover, Plaintiff objects to the dishonorable NJK's order issued granting the
17 defendant Shannon Pierce's stay for discovery because, again, Plaintiff did not receive
18 any such motions from Shannon Pierce nor any correspondence on such a motion in
19 this case. Hence, Plaintiff cannot respond to unreceived motions. Again, Plaintiff's
20 receipt of documents from defense are carefully documented, no such documents were
21 received from parties, and defense has purposefully failed to send Plaintiff motions in
22 the past (and even worse lie about sending the motion while taking a picture of the
23 motion still in their possession as an exhibit...idiots). Although Plaintiff motioned for the
24 case to be stayed pending the predictable and imminent remand to state court of the
25 action, Plaintiff has not received/read any arguments presented in defense's motion to
26 stay discovery in order to respond to any such arguments. Further, Plaintiff disagrees
27 with NJK's logic in reaching the decision for defendants' motion and the basis on which
28

she reached the decision (at least as stated in the order she sent to Plaintiff; she may have communicated differently with defendants since it is known that this Court is engaging in ex parte communications). Due to the fact that Plaintiff's case belongs in State Court and the fact that this court has no jurisdiction over Plaintiff's case, NJK's ruling that discovery should be stayed pending a ruling on defendants' motions to dismiss is erroneous. The motion to remand was made first (in the very early stage of this litigation), defendants did not properly oppose the motion, and as such any "decisions" made by NJK are based on a resolution of Plaintiff's Motion to Remand, which is dispositive in and of itself (every court of appeals that has considered the question of remand has held that a remand motion is treated as dispositive). In other words, defendants' motions to dismiss are irrelevant given the facts of this case (specifically, that Plaintiff's lawsuit is valid—defendants committed defamation, amongst other things, and abuses of the legal system for which there are remedies under the law; they are not covered by any protections simply because of career titles and certainly not when misconduct is evident—and defendants' removal of the case was erroneous as Plaintiff's claims are all state claims and Plaintiff chose the correct venue/jurisdiction to handle such claims). For the love of god would you people cease your stalling antics and remand the case back so that Plaintiff no longer has to deal with you animals concerning this case.

The Court is very well aware of the fact that they have no jurisdiction over Plaintiff's case but chooses to hold on to Plaintiff's case for their own selfish, unethical reasons (again, another reason why this court has continued to write other correspondences without remanding Plaintiff's case).

Plaintiff objects to the dishonorable NJK's order issued denying Plaintiff's motion to stay proceedings because her logic/judgment is simply erroneous, clearly clouded by bias (because she does not want to admit that Plaintiff was correct in seeking a stay

1 pending a remand, which should be ordered first and should have been ordered a long
2 time ago, but chose to issue a stay pending defendants' motion to dismiss...they are
3 both dispositive and Plaintiff's motion for remand is likely to be more successful than
4 defendants motions to dismiss which should not even be heard in this district court), and
5 contradicted by case law (*Mark Pierce v. Atlantic Specialty Insurance* 1:16-cv-00829-
6 JAP-KBM; 215). In fact, NJK refuses to stay proceedings so she can continue tending to
7 other items/making unethical rulings while sitting on Plaintiff's remand motion and
8 holding onto Plaintiff's case so that defendants can continue to delay and derail this
9 case. Plaintiff's request to stay proceedings is based on the issue of venue and
10 jurisdiction, which are indeed grounds for a stay of proceedings as it is dispositive of the
11 case in the Federal Court system and many courts in the Ninth Circuit has made this
12 ruling (as just one example above)

14 Furthermore, the Ninth Circuit's rationale and holdings clearly indicate that
15 Plaintiff's case should have been remanded immediately. There are no valid arguments
16 for removal and this Court's holding of Plaintiff's case so that she cannot proceed in
17 court is a clear violation of Plaintiff's rights. It is evident that this Court is assisting
18 defendants just by their very own actions. "The existence of federal jurisdiction on
19 removal must be determined from the face of the plaintiff's complaint." *Salveson v. W.*
20 *States Bankcard Ass'n*, 731 F.2d 1423, 1426-27 (9th Cir. 1984). There cannot be any doubts
21 as to whether jurisdiction exists (*Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992)).
22 ("Underlying these principles is the rationale that a *plaintiff should be free to frame and*
23 *pursue his theory of pleading*, especially if the claim could be either or both state and
24 *federal.*" *Id.* (quoting *The Fair v. Kohler Die & Specialty Co.*, 228 U.S. 22, 25 (1913))
25 (emphasis added). Specifically, reiterated, there are no issues as to which Court holds
26 jurisdiction (it's clearly not this one). Plaintiff's claim against CEC/PHWLV's ban was
27 pursuant to the specified Nevada Revised Statutes laid out therein and Plaintiff filed her
28

1 lawsuit in State Court, not Federal. The removal was clearly unwarranted and used as a
2 delay tactic by defendants. Plaintiff reserves all rights to seek

3 Further since this court and defendants have issues with providing
4 correspondence to Plaintiff and the Court only provides correspondence to defense
5 (unsurprisingly), Plaintiff requests that all correspondence be available for Plaintiff to
6 pick-up from the clerk on Mondays and/or that all correspondence be sent via certified
7 mail for Plaintiff's signature upon receipt because you are all, quite frankly, in the same
8 business of lying and corruption. **Plaintiff will be seeking correspondence on this**
9 **issue in particular as it is a prejudice to Plaintiff for the Court to engage in ex-**
10 **parte communications/ provide communications to defendants sans Plaintiff, to**
11 **rule on motions that have not been served, and to issue orders and only serve**
12 **them to defendants. As such, Plaintiff requests a new review and hearing on all**
13 **motions/orders in this case.**

15 Thank you for your time and attention to Plaintiff's objections to be preserved for
16 review by a panel other than yourselves. You are all full of shit. Sincerely.

17 Dated this 26th day of October 2019

19 .
20 /s/ Latonia Smith
21 LATONIA SMITH
22 9748 CANYON LANDING
23 AVE.
24 LAS VEGAS, NV 89166
25
26
27
28



CERTIFICATE OF SERVICE

I certify that I am serving a true and correct copy of the OBJECTIONS on the parties set forth below by:

—
placing an original or true copy thereof in a sealed envelope with the correct
prepaid postage affixed for collection and mailing in the United States Mail, at
Las Vegas, Nevada.

X Certified Mail, Return Receipt Requested of the document(s) listed above to the person(s) at the address(es) set forth below

E-service

Personal delivery through a process server of the document(s) listed above to the person(s) at the address(es) set forth below

Riley Clayton

HALL JAFFE & CLAYTON, LLP

7425 Peak Drive

Las Vegas NV 89128

702-316-4111

rclayton@lawhic.com

Alex Fugazzi and Michael Paretti

SNELL AND WILMER

3883 Howard Hughes Parkway Suite 1100

Las Vegas, NV 89169

702-784-5200

afugazzi@swlaw.com

mparetti@swlaw.com

Dated this 26TH day of October 2019

/s/ Latonia Smith